REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicants thank the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-19 and 32-42 are pending in the application. Claims 1, 12, and 32 are independent. The remaining claims depend, directly or indirectly, from Claims 1, 12, and 32.

Drawings

Applicants respectfully request the Examiner to indicate whether the drawings filed on January 8, 2004 are acceptable.

Claim Amendments

Claims 1-7, 12-16, and 32-38 are amended in this reply as discussed below. Claims 1, 12, and 32 are amended to clarify various aspects of the invention. Claims 20-31, which were previously withdrawn, are now cancelled without prejudice or disclaimer. Further, claims 2-7, 13-16, and 33-38 are amended for consistency amended independent claims 1, 12, and 32. No new matter is added by these amendments as support for the amendments may be found, for example, in Figures 2, 3A, and 4 as well as on pg. 23; lines 20-25; pg. 24, lines 1-6; and pgs. 26-29 of the instant specification.

Rejection(s) under 35 U.S.C § 103

Claims 1, 3-10, 12, 14, 16-18, 32, 34, and 36-41 stand rejected under 35 U.S.C. § 103 (a) as being obvious over U.S. Patent Publication No. 2003/0120672 ("Bingham") in view of NPL

Document, "PeerDB: A P2P-based System for Distributed Data Sharing" ("NG"). To the extent that this rejection may still apply to the pending claims, the rejection is respectfully traversed.

To establish a *prima facie* case of obviousness "…the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP §2143.03. Further, "all words in a claim must be considered in judging the patentability of that claim against the prior art." MPEP §2143.03. The Applicants respectfully assert that the references, when combined, fail to teach or suggest all the claim limitations of independent claims 1, 12, and 32.

Specifically, amended independent claim 1 recites, in part,

> [P]ublishing a data change from a *first source system*…;
> using a query to obtain said additional attributes from a *second source system*…;
> generating said modified attribute set comprising said *additional attributes and said data change*….

In other words, amended independent claim 1 recites that a modified attribute set is generated using data from a first source system *and* a second source system. Bingham teaches a system for managing content objects over a network. More specifically, content objects are monitored on a hosting node to ensure synchronization of the content objects on another node. *Bingham,* paragraph [0013]. However, the content objects described in Bingham only synchronize data changes from a *single* hosting node. The content object in the hosting node "includes a unidirectional link to a corresponding object in another node." *Bingham,* paragraph [0013]. Thus, the corresponding object in another node of Bingham only receives data changes from the hosting node. Thus, Bingham does not teach or suggest generating said modified attribute set comprising data from both a first source system and a second source system as recited in amended independent claim 1.

NG does not teach that which Bingham lacks. NG teaches a peer-to-peer distributed data sharing system, PeerDB. *See* NG at page 633, column 1. NG explicitly discloses that the users of PeerDB can "share data without a shared global schema." NG at page 633, column 2. More specifically, NG teaches that data is shared through use of *local* databases at each peer that describe only the contents of the *local* peer. *See* NG at page 636, column 1. However, NG fails to teach combining data from a first peer *and* a second peer. Thus, NG does not teach or suggest generating said modified attribute set comprising data from both a first source system *and* a second source system as recited in amended independent claim 1.

Moreover, amended independent claim 1 recites, in part, "a join engine peer accessing a global attribute object model to identify a second data type and additional attributes of said second data type, wherein said global attribute object model defines a dependency between said additional attributes and attributes of a third data type." In other words, amended independent claim 1 recites that the global attribute object model defines a *dependency between* the additional attributes of the second data type and the attributes of the third data type. The dependency may describe how the additional attributes of the second data type may be used to generate the attributes of the third data type. *See* instant specification, pg. 23, lines 20-24 & pg. 24, lines 1-21. In contrast, Bingham only teaches that unidirectional links are defined between content objects on different nodes. *Bingham,* paragraph [0037]. The links described in Bingham facilitate the synchronization of content objects on different nodes by identifying content objects with the same or similar attributes. However, the links of Bingham fail to define a *dependency between* additional attributes of a first data type and attributes of a second data type. Thus, Bingham does not teach or suggest a global attribute object model for defining a *dependency between* additional attributes of a first data type and attributes of a third data type as recited in amended independent claim 1.

NG does not teach that which Bingham lacks. NG teaches that data is shared through use of *local* databases at each peer that describe only the contents of the *local* peer. *See* NG at page 636, column 1. However, NG fails to teach that a dependency between attributes of first data type and a second data type are defined. Thus, NG does not teach or suggest a global attribute object model for defining a dependency between additional attributes of a first data type and a third data type as recited in amended independent claim 1.

In view of the above, Bingham and NG, whether viewed separately or in combination, fail to teach or suggest all the limitations of amended independent claim 1. Accordingly, claim 1 is patentable over Bingham and NG for at least the reasons given above. Amended independent claims 12 and 32 includes the same patentable limitations as amended independent claim 1 and, thus, are patentable over Bingham and NG for at least the same reasons as amended independent claim 1. Dependent claims 3-10, 14, 16-18, 34, and 36-41 depend, directly or indirectly, from claims 1, 12, and 32 and are patentable for at least the same reasons. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 2, 4, 10-11, 13, 15, 19, 33, 35, and 42 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Bingham in view of NG and in further view of Applicant Admitted Prior Art ("AAPA"). This rejection is respectfully traversed.

At the outset, the Applicants object to the Examiner's assertion that the limitations of claims 2, 4, 10-11, 13, 15, 19, 33, 35, and 42 are AAPA. Specifically, the Examiner, pursuant to M.P.E.P. § 2144.03 C, has taken the position that the Applicants have failed to traverse the Examiner's assertion of Official Notice. Applicants disagree with the Examiner's conclusion. Specifically, the Examiner has failed to satisfy the requirements outlined in M.P.E.P § 2144.03. This section of the M.P.E.P. requires that the Examiner only take Official Notice without documentary evidence "where the facts asserted to be well-known, or to be common knowledge

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in the art are capable of instant and unquestionable demonstration as being well-known." As noted by the court in *In re Ahlert*, 424 F.2d 1088, 1091, 165 USPQ 418, 420 (CCPA 1970), the notice of facts beyond the record which may be taken by the examiner must be "capable of such instant and unquestionable demonstration as to defy dispute" (citing *In re Knapp Monarch Co.*, 296 F.2d 230, 132 USPQ 6 (CCPA 1961)).

In contrast to the above requirement, the Examiner has merely made an unsupported statement that the limitations in dependent claims 2, 4, 10-11, 13, 15, 19, 33, 35, and 42 would have been obvious to one skilled in the art. *See* Office Action mailed November 15, 2006, page 5-6. It is not clear how the limitations in dependent claim 2, 4, 10-11, 13, 15, 19, 33, 35, and 42 are capable of instant and unquestionable demonstration as being well-known. In view of the above, Applicants request withdrawal of the "AAPA" designation as applied to the limitations of dependent claim 2, 4, 10-11, 13, 15, 19, 33, 35, and 42. Further, Applicants request that the Examiner respond to the Applicants' traversal of the Official Notice pursuant to M.P.E.P § 2144.03 C.

Moreover, even assuming *arguendo* that the limitation is well known in the field of the invention, as discussed above, Bingham and NG, whether viewed separately or in combination, fail to teach or suggest the present invention as recited in amended independent claim 1. Further, AAPA does not provide what Bingham and NG lack as the AAPA only recites using broadcast channels, forming the modified attribute set from local attributes, and using a transformation language compliant with XSLT and JAVA language syntax. *See* Office Action mailed June 4, 2007, at page 5-6.

In view of the above, neither Bingham, NG, nor AAPA, whether considered separately or in combination, teach or suggest all the limitations of amended independent claim 1. Thus, amended independent claim 1 is patentable over Bingham, NG, and AAPA. Amended

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independent claims 12 and 32 includes the same patentable limitations as amended independent claim 1 and, thus, are patentable over Bingham, NG, and AAPA for at least the same reasons as amended independent claim 1. Dependent claims 2, 4, 10-11, 13, 15, 19, 33, 35, and 42 depend, directly or indirectly, from claims 1, 12, and 32 and are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicants believe this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 03226/443001; SUN030034).

Dated: September 4, 2007   Respectfully submitted,

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